

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DWAYNE EDWARD ABRAHAM,

No. 3:17-cv-00198-YY

Petitioner,

ORDER

v.

BOARD OF PAROLE AND POST
PRISON SUPERVISION,

Respondent.

HERNÁNDEZ, District Judge:

Magistrate Judge You issued a Findings and Recommendation [35] on July 29, 2018, in which she recommends that this Court deny Petitioner's Petition for Writ of Habeas Corpus [2] and enter a judgment of dismissal. Judge You also recommends denying a certificate of appealability because Petitioner has not made a substantial showing of the denial of a constitutional right. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Petitioner filed timely objections to the Magistrate Judge's Findings & Recommendation. Pet'r Obj., ECF 37. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


The Court has carefully considered Petitioner's objections and concludes there is no basis to modify the Findings & Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings and Recommendation [35] . Petitioner's Petition for Writ of Habeas Corpus [2] is DENIED and this case is dismissed with prejudice. Because Petitioner has not made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied.

IT IS SO ORDERED.

DATED this 23 day of October, 2018.



MARCO A. HERNÁNDEZ
United States District Judge